



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

Quintel Saunders

3552727

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 2:21-cv-250
(Number to be assigned by Court)

Betsy Jividen (Commissioner, Warden Hrs.)

ASS Frame, CAPT Clifford, Derrick McKennay

CAP Tuney, Post Office worker Lisa Boggs

Vicki Dempsey, Tom Chandler, Kim Thacher, Michelle Hudson
(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No X

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county):

3. Docket Number: _____

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: Mount Olive Corr. Complex

A. Is there a prisoner grievance procedure in this institution?

Yes X No

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes X No

C. If your answer is YES:

1. What steps did you take? Wrote Grievance, Appeal to the Highest level

2. What was the result? no actions were taken, it was never looked into. Grievance Denied.

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Quantel Saunders

Address: 1 mountainside way Mt Olive, WV 25185

B. Additional Plaintiff(s) and Address(es): _____

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Betsy Swiden

is employed as: Commissioner

at Mount Olive Corr. Complex / DCR of West Virginia

D. Additional defendants: Warden Donald Hmes, CAPT Clifford,

CAPT Toney, Derrick McKinney, Post Office Worker ^{Lisa Boops} ~~Boops~~

Vicki Dempsey, Tom Chandler, Kia Thacker

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

See Attached

IV Statement of Claim

1. Since 2017 my legal mail have been tampered with such as read, copied, and not sent out.

2. That caused my deadline, to lose summary judgment on cases, not to be able to go through the grievance system correctly.

3. Back in 2017-2019, I knew I was being done wrong but didn't honestly know how to stop it. Now that im more familiar with the law I'm filing a civil suit

4. These problems that I am still facing today April 2021 more than 4 years later.

5. I'm also being denied call to my Attorneys & family members. They will only allow me to use the phone at 1, 2, or 7am all 5 days that im allowed
Rec

6. My daughter is going on 6 years old. she is enrolled in school. I can not speak with her at 1, 2, or 7am because she is either sleep or on her way to school on the bus

7. My Attorney does not get into his office untill 9 or 9:30 am. So 1, 2, or 7am I am not ~~able~~ able to speak with my Attorney

8. I am also being denied access to the courts, my mail & facility checks are not making ~~it~~ it to courts. I am missing deadline & can't proceed because of my filing fee.

9. In 2017-2018 my grievance where being tampered with because I was filing a civil suit on wrong doing

10 my grievance weren't being turned in, sent to the Warden & some not sent to Commissioner

11. Officers even messed up by sending my Grievance to the Commissioner when I sent them to the Warden. This happens after my multiple grievance.

12. Unit Manager even said he was responding to all the Grievance I sent him but I was getting copies of all my grievance because of the wrongful act by staff.

13. So I proved to him that I sent in Grievances that he wasn't getting because of Corr. Officers wasn't turning them in.

14. I was in Segregation all ~~my~~ mail, Request, & Grievance is giving to staff to put in mail box or basket

15. This is a Violation of my first, ~~fourth~~ ^{fifth}, fourteenth Amendments. see Exhibits (A-M)

16. 2019-2021 while in QI or QII I was denied ~~access~~ access to the phone at a reasonable time to speak with my child & Attorney.

17. I put in several Request to speak with my child at a reasonable time

18. I put in numerous Request to speak with my Attorney's at a reasonable time

19. Dec 29, 2021 - April 2021 I still have not had a chance to speak with my daughter due to the 1, 2, or 7am Rec scheduled & because my daughter in school.

20. This is done to cause harm to me. see Exhibits (N-P)

21. Oct 6, 2021 - April 1 2021 my mail is still being held, opened, read, copied, ect. Also June 1, 2020 & Sept 18, 2020

22. on Oct 6 I received a letter from my Attorney that was sent on Sept 21 thats 15 days later. I was in the Murder of

IV Statement of Claim

going through a Murder Trial.

23. My legal Mail from Attorney Todd Hark was opened copied & Resealed & my bar codes were blocked out. The Mail was at MOCC on 1/12/21 I didn't receive it until 1/19/21 officer sign his name on legal mail & legal sheet to show my legal mail was tampered with AGAIN!

24 Same exact thing happened on 1/29/21 I received a letter from my Attorney with bar code black out & tampered with. It was at MOCC on 1/22/21, I received a week later officer would not sign the legal sheet or my letter for me

25. The Post Office was holding legal Mail/Documents that I wanted & sent to Courts. I believe they was copying my Mail to gain advantages on my civil Suits against them.

26. They didn't send & was holding my Incarceration Claim against MOCC, Habeas Corpus 2241, & 42 USC § 1983 against MOCC,

27. They would not tell me when they was sent out & was held in the Post Office for over a week or a half.

28. My \$5.00 Filing fee for my Habeas Corpus 2241 was sent with my Habeas. The prison did not send my \$5 until days later & caused me to have to refile my Habra because I miss my deadline because they wouldn't send my \$5.

29. They held the \$ for over 2 week or more.

30. The Trustee clerk would not fill out my Applications for my Habeas Corpus (state) & my 2 civil of Proceed in form Pauperis.

31. This was done to stop me from filing civil action on MOCC & Staff members for the rights they were violating.

32. John Frame said that I have 2 years to file my civil suit but does not know what or when my rights was violated or what

I ~~send~~ suing over unless he have been reading my legal Mail with I believe 100% that he was I have been

33. I received mail from Southern District Court on 2/11/21 which was 5 days after it was already at MOCC.

34. The letter said I had 10 day to send a proceed without fee or \$5. If not I will not have my Habeas Corpus file.

35. MOCC failed to provide me a proceed without pay and/or my \$5 cot for the filing fee.

36. I had to refile my Habeas Corpus. see Exhibits (Q-7)

37. April 1, 2021 my mail from Civil Suit on MOCC from 2017 Paul Stroebel was forced open & copied or Read I believe. Officer Hariston wrote a Report saying it was open before he was able to open it intact at me.

38. letters of legal Mail that have been tampered with see Exhibits (AA-II)

39. Each Defendant is sued individually and in his/her official capacity. At All times mentioned in this complaint each defendant acted under the color of state law.

40. Plaintiff reallege and incorporate by reference paragraphs 1-39.

41. The holding, opening, not sending, tampering with legal not allowing plaintiff to complete grievance process, and not allowing plaintiff to contact Daughter & Attorney's violated plaintiff's constitutional rights at issue Right to use the Courts, petition the government for redress of grievances, and due process of law under the First Fifth and fourteenth Amendment to the United States Constitution.

IV Statement of Claim

42. The Plaintiff has no plain, adequate, or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.

43 Verification and Signature

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct

Executed at Mt Olive, WV on April, 2021



Aquentel Saunders

Mt Olive Corr. Complex

1 maintainside way

Mt Olive, WV 25185

IV Statement of Claim

addition: 1. On April 8, 2021 I received legal mail from my Attorney. My name was not on the legal mail list. I had to write my name & sign in pen.

2. Every time an inmate receive legal mail. His name is on legal sign sheet & has to ~~be~~ be pre policy. Mine Was not.

3. On April 12, 2021 I received legal mail once again from my Attorney. My Name was not on the legal Mail list AGAIN, I had to sign my name.

4. This I do believe was a mistake by Post Office because They DID NOT PLAN/MEAN to send that mail yet.

5. They wanted to open & copy/Read it before they sent it to me.

6. There is no other reason my name would be left off the legal mail sheet.

7. I believe they want to tamper with my mail & send it on a later date. Such as a week later like they have been numerous times before. But someone ~~sent~~ ^{seen} my mail & put it in the basket to be delivered. Not knowing Post office & Administration wanted to open copy & read my legal Mail.

8. Grievance & Request for Copies of the legal sign sheet attached Exhibits (JJ-NN)

9. On February 24, 2021 money was taken off my book for postage legal Mail that I did not sign a voucher for to be sent out. This is Retaliation & Harassment toward me.

IV. Statement of Claim (continued):

See Attached

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.

- 1) A declaration that the acts and omissions described herein violated plaintiff's rights under the Constitutional and laws of the United States
- 2) A preliminary and permanent injunction ordering all defendants to stop tampering, opening, reading, copying, and not sending my legal mail
- 3) Compensatory damages in amount of \$30,000 against each defendant, jointly and severally.
- 4) Punitive damages in the amount of \$30,000 against each defendant.
- 5) A jury trial on all issues triable by jury.

If so, state the lawyer's name and address:

Paul Stroebel Po box 2582 chas, WV 25329

Signed this 12th day of April, 20 21.



Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 12 2021
(Date)



Signature of Movant/Plaintiff

Signature of Attorney
(if any)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

Quontel Saunders

Your full name

v.

Civil Action No.: 2:21-cv-250

Betsy Jueden, Donald Ames

CAPT Clifford, CAPT Toney

Derick McKinney, Post Office michelle Hudson

worker Baggs Vicki Dampsey Tom chandler, Kia Thacker
Enter above the full name of defendant(s) in this action

Certificate of Service

I, Quontel Saunders (your name here), appearing *pro se*, hereby certify
that I have served the foregoing 42 USC § 1983 (title of document
being sent) upon the defendant(s) by depositing true copies of the same in the United States mail,
postage prepaid, upon the following counsel of record for the defendant(s) on
April 12 2021 (insert date here):

(List name and address of counsel for defendant(s))

GS
(sign your name)